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Secte. II-27—37,804—13-11-46.

REVENUE (194 6) Department.

MS SERIES.

G.O. No. 1880

Dated 2nd September 1946.

[Despatch Abstract.]

Courts - Village Panchayat - (South Kanara) Mangalore taluk - Attavar Village - Assistant Karnam - Retention without sanction Regularised.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date
Ms	1605	Rev	26-4-67				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

REVENUE DEPARTMENT

Subject.

Establishment --Temporary--(SK)--Mangalore Taluq-- Attavar Panchayat Court--Asst.Karnam Retention--Sanction.

REF:No.C.5684/46-1

STA TION: Madras. 9-8-1946.

From

G.Venkateswara A yyar, O.B.E., I.C.S.,
Secretary, Board of Revenue,Madras.

E.M. Gawne Esqr., C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue Postwar Reconstruction and Commercial Taxes.

READ:

From the Collector of South Kanara Ref:B.10465/46Dated 16-7-1946.

REFERENCE:

Submitted to the Government.

2. In the circumstances stated by the Collector, the Board requests that the Government may be pleased to regularise the post of the Assistant Karnam for the period 1-4-1944 to 30-6-1945, during which the temporary Assistant Karnam continued without sanction,

3. The expenditure will be met from the provision in the budget under " 25 General Administration R.V.S.- pay of establishment voted.

For Secretary

To

The Secretary to Government
Revenue Department.

Encl. Appended.

M.A. 9/8

2

Copy of letter from the Collector of South Kanara, Mangalore Ref: B.5-10465/46 to the Secretary to the Board of Revenue dated 16-7-46.

COURTS : Village Panchayat-(S.Kanara District)- Mangalore Taluk--Attavar Panchayat Court--Asst. Karnam--Retention for the period from 1-4-1944 to 7-5-1945--Sanction--Requested.

There are four Panchayat Courts, named, Casba-bazaar, Boloor, Attavar and Kadri in Mangalore Town. As the town Shanbhogues found it difficult to attend to the clerical duties of these Courts, the post of two Asst. Karnams was sanctioned to do the scriptory work in the four Courts. One of these posts attached to the Casba-bazaar Court has been sanctioned permanently but the other attached to the Attavar Panchayat Court used to be sanctioned temporarily for one year at a time.

2. Sanction for the continuance of this temporary post was being applied for and obtained year after year, till 1943 and the last sanction obtained for this post in G.O.Mis.No.1605. Revenue dated 26-4-43 ~~communicated with B.P.Rt.No.743(3) dated 1-5-43~~ expired on 31-3-44. In the ordinary course, proposals for further retention of the post should have been submitted by the Tahsildar, Mangalore before the expiry of the period of sanction but inadvertantly the matter was lost sight of and the incumbent of the post was allowed to continue in service. The emoluments of the post were also drawn and disbursed to the incumbent till 30-6-1945.

3. The mistake was detected by the Treasury Deputy Collector during his inspection of the Sub-Treasury last year, and further payment was withheld from July 1945. Meanwhile, the permanent Asst. Karnam of Casba-bazar Court died on 7-5-45 and since his death the incumbent of the temporary post has been attending to the work of all the four courts. He was paid incharge allowance for the period 8-5-45 to 30-6-45. However, the pay of the temporary post of the Assistant Karnam attached to the Attavar Panchayat Court for the period from 1-4-44 to 30-6-45 was drawn and disbursed without proper sanction. The Asst. Karnam has subsequently been confirmed in the permanent vacancy of Asst. Karnam attached to the Casba-bazaar Panchayat Court with effect from 8-5-1945.

4. My predecessor, Mr .Ramadoss ordered that there was no xcase for the retention of the Assistant Karnam and that therefore the temporary post attached to the Attavar Panchayat Court would be abolished from 1-4-44, i.e, the date on which the last period of the sanction had expired, and that the amount covered by the unauthorised payment should be recovered from the officers and clerks responsible. After a careful scrutiny of the connected records, Mr. Rama Varma Raja framed charges against 3 Officers and 3 clerks and called on them to show cause why sums of Rs.70/- from each officer and Rs.10/- from each clerk should not be recovered. They have submitted their explanations.

5. I assess the responsibility of the concerned clerks and the officers, in the following order- (i) The initial mistake fro which all the trouble started, was committed by the Taluk clerk Sri. U.Gopalachari, who dealt with the copy of the sanction order, relating to the period from 1-4-43 to 31-3-44 communicated from this office. He was responsible for giving a premature disposal to this reference without making necessary entries in the register of sanctioned scale maintained in the Taluk Office. The then-Head Quarters Dy. Tahsildar Mr. Julian Arangha, who approved of the endorsement put up by the clerk on the copy of the sanction order, must also be held equally responsible for the omission. Being a responsible officer, he should not have given a final disposal to the reference without taking complete action.

6. The other persons responsible for the unauthorised payment are the two special Fund Clerks Sri. Damodarachari and Sridharachari who wrote the Audit registers in form No. 12 for the year 1944-45 and 1945-46. These clerks failed to find out from the register of sanctioned scale that the post of Asst. Karnam was purely a temporary one, requiring sanction and that it contained no entries regarding the sanction order relating to the period in question. They had more opportunities to detect the mistake than the Tahsildars who attested the entries in the in the Audit registers.

7. Lastly, the two Tahsildars M/S. H.Sundar Rao and H. Narasimha who attested the entries in the audit registers of 1944-45 and 1945-46 respectively in token of having checked them with the register of sanctioned scale, are responsible to the extent that their check was not thorough. But they had less opportunity to detect the flaw than the clerks mentioned above. Yet, they cannot escape their formal responsibility as heads of offices.

8- Thus, three clerks and three officers mentioned above, were responsible for the unauthorised payment involved in this case. According to the order of my predecessor these persons are liable to make good the amount of Rs.240/- covered by the unauthorised payment. There was scope for detecting the omission in the course of the monthly post audit of the Vilage Establishment pay bills in the district Treasury. But in the register of sanctioned Establishments maintained in the district Treasury, the post of Asst. Karnam attached to Attavar Panchayat Court was inadvertantly shown as permanent. This incorrect entry was made so far back as in 1936 and the clerk and the Huzur Head Accountant who were responsible for this mistake are not now in service.

9. All the persons involved plead for lenient treatment and suggest that the Board's sanction may be obtained to regularise the payment and that the question of recovery may be dropped. I also feel that the recovery will be a bit too hard on the persons concerned. The two clerks who wrote the audit registers have not much service and they were new to the work. The two Tahsildars who

(continued)

who attested the entries in the Audit register explain that they cannot humanly be expected to compare the two registers so thoroughly as to enable them to detect the misstake of the kind. Their plea is, I think, acceptable to a certain extent, in view of the other pressing duties of Tahsildars. On a consideration of all ~~all~~ these facts I am of opinion that the post may be regularised and the officers and the clerks responsible for the mistake should be censured for their carelessness. I therefore, recommend that the Board may be pleased to obtain the sanction of Government for regularising the post for the period 1-4-44 to 30-6-45.

10. On receipt of orders from the Board, I shall take action against the subordinates concerned.

Sd.
For Collector.

/True Copy/

13/8

M.A.9/8

~~SUPERINTENDENT~~. for Secretary

13/8

[Cno 3771 C/46]

E2

Rev. Dept.

G.O.No.1605 Rev. dated 28.4.43
From the Bd. of Rev. Ref. C.5684/46-1 dated 9.8.46.

G.O.Ms. No. 1880 Dated 2-9-46

In the circumstances reported, the Govt. ~~sanction the~~ regularise the retention without sanction of an ~~employment of a post of~~ Asst. Karnam for work connected with the Panchayat ~~Kx~~ court in Attavar village, Mangalore taluk, South Kanara Dist, ~~for~~ the period from 1.4.44 to 30.6.45, ~~in order to regularise the retention without sanction of an Asst. Karnam for that work during the above period.~~

2. The expenditure should be debited to "25 General Administration - Dist. Administration - Other Establishments - R.V.S. - Pay of Establishments - voted."

3. The Bd. of Rev. is requested to see that suitable disciplinary action is taken against the persons responsible for the irregular retention of the post. In this connection, the possibility of recovering at least a portion of the extra cost to Govt. from persons responsible for the retention of the Asst. karnam without proper sanction shd. be considered.

45937 E1

ASSISTANT SECRETARY
24 AUG 1946
FINANCE DEPARTMENT

To
The Bd. of Rev.
Copy to AG. thro Finance.

TSK 29.8.46.

To AS.

Finance U.O. for acceptance.

Rev No 3771-C/46-1
23.8.46

See Kumpta Having regard to the fact that the temporary post was not actually necessary beyond 1.4.44

a/p

and ~~that~~ that the irregular continuance of the post. was mainly due to the Carelessness of ~~the~~ Cerain Clerical officials in the Taluk Office, mangalore., it is only appropriate that the excess payments resulting from the irregularity is recovered from the persons responsible. The recommendation of the Collector that no recovery need be made from them and that they may be let off with a Censure does not seem to be acceptable. In this view Fin. may advise that the excess payments may be ordered to be recovered from the persons responsible in ~~a~~ Suitable instalments. Subject to this suggestion, the draft order may be accepted.

ORC
268/46

I would suggest the addition of the following to para 3 of the draft:- "In this connection the possibility of recovering at least a portion of the extra cost to Govt. from the persons responsible for the retention of the Asst. Karnam without proper sanction should be considered"

Subject to this addition the draft is accepted

RAO

To AS

The addition suggested by the D.S. Finance has been incorporated in the draft order on page 1 ante. The revised may now issue.

TEK
25.8.46

31/8/46

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A al ors

26.8.46.

ASSISTANT SECRETARY TO GOVERNMENT
3932
28 AUG 1946
REVENUE DEPARTMENT